

**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL (Small Entity)**

Docket No.

JAN 28 2004

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

☐ **DUPLICATE** (Check box if applicable)

First Named Inventor

Examiner

Group/Art Unit

O'Neill

Chen, Tianjie

2652

Address to:
Mail Stop CPA
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This is a request for filing a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/766,749 filed on 01/22/2001 and entitled:

•Piezoelectric Microactuator for Improved Tracking Control of Disc Drive Read/Write Heads

FEB 04 2004

Technology Center 2600

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
- a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

02/12/2004 EFLORES 00000067 09766749

02/12/2004 385.00 OP

02/12/2004 EFLORES 00000067 09766749

01/12/2002 45.00 OP

- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. ☐ A new power of attorney or authorization of agent is enclosed.

5. ☐ Small Entity Status:

- a. ☐ A small entity statement is enclosed.

- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.

6. ☒ The fee for this application is calculated as follows:

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	25	- 20 =	5	x \$9.00	\$45.00
Indep. Claims	3	- 3 =	0	x \$43.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$385.00
TOTAL FILING FEE					\$430.00

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)
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7. ☒ The Director is hereby authorized to credit overpayments or charge the following fees to Deposit Account No.

- ☒ fees required under 37 C.F.R. 1.16.
- ☒ fees required under 37 C.F.R. 1.17.
- ☒ fees required under 37 C.F.R. 1.18.

8. ☒ A check in the amount of \$430.00 is enclosed.

9. ☐ An Information Disclosure Statement (IDS) is enclosed:

a. ☐ PTO-1449

b. ☐ Copies of IDS Citations

10. ☐ Also enclosed:

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11. ☐ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

NOTES

Submit an original, and a duplicate for fee processing.

FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

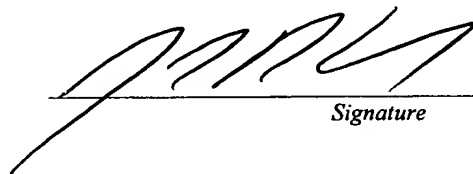
C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: 01/27/2004



Signature

John R. Ross, III

Typed or printed name

43060

Registration Number (if applicable)

- ☐ Inventor(s)
☐ Assignee of complete interest
☒ Attorney or agent of record

cc:



Exp Mail Label No: ER 824003563 US

**COMBINED CONTINUED PROSECUTION APPLICATION AND
PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
(Small Entity)**

In Re Application of: O'Neill
Serial No.: 09/766,749
Filing Date: 01/22/2001
Examiner: Chen, Tianjie
Group Art Unit: 2652

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Invention: Piezoelectric Microactuator for Improved Tracking
Control of Disc Drive Read/Write Heads

TO THE ASSISTANT COMMISSIONER FOR PATENTS

This is a combined Continued Prosecution Application (CPA) and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the office action of 07/29/2003 in the above-identified application.

In addition please find enclosed:

- Continue Prosecution Application (CPA) Request Transmittal,
- Amendment B,
- Certificate of Mailing
- Check for \$905.00

The requested extension is for three months from 10/29/2003 to 01/29/2004.

The fee for the CPA and extension of time has been calculated as shown below:

	NO. OF CLAIMS FILED	NO. OF CLAIMS ALLOWED	NO. OF CLAIMS EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	25	20	5	X \$9.00	\$45.00
INDEP CLAIMS	3	3	0	X \$42.00	\$0.00
BASIC FEE					\$385.00
FEE FOR EXTENSION OF TIME					\$475.00
TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME					\$905.00

The fee for the amendment and extension of time is to be paid as follows:

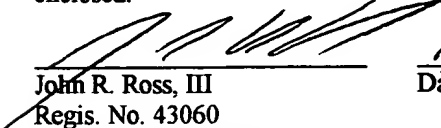
- A check in the amount of \$905.00 for the amendment and extension of time is enclosed.
- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 200678. A duplicate copy of this sheet is enclosed:
 - Any additional filing fees required under 37 CFR 1.16.
 - Any patent application processing fees under 37 CFR 1.17.

02/02/2004 EFLORES 00000067 09766749

03 FC:2253

475.00 OP

If any additional extension of time is required, please consider this a petition therefor and charge any additional fees that may be required to Deposit Account No. 200678. A duplicate copy of this sheet is enclosed.


John R. Ross, III

1/28/07
Date

Regis. No. 43060

Ross Patent Law Office

P.O. Box 2138

Del Mar, CA 92014

858-755-3122

FAX: 858-755-3122



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No: 09/766,740
Filed: 01/22/2001
Applicant: O'Neill
For: Piezoelectric Microactuator For Improved Tracking
Control of Disc Drive Read/Write Heads

Examiner: Chen, Tianjie
Group: 2652

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CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir,
I hereby certify that the following correspondence:

Continued Prosecution Application for above-identified application

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on 01/28/2004.



Signature of Person Mailing Correspondence

John R. Ross, III
Typed or Printed Name of Person Mailing Correspondence

ER 824603563 US
"Express Mail" Mailing Label Number